IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SEVENTEENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 2804 of 2005

Between:

1. B.Jacob, S/o. Ramappa, Occ:Driver, E.No.270697.
2. K.Shekhar Reddy, S/o.Laxma Reddy, Occ:Driver, E.No.304202.
3. N.Srinivas Reddy, S/o.Venkat Reddy, Occ:Driver, E.No.111538.
4. T.Srinivas Reddy, S/o.Saidi Reddy, Occ:Driver, E.No.271019
5. R.Harya Naik, S/o.Lalya, Occ:Driver, E.No.290292
6. L.Chandra Sekhar Reddy, S/o.Laxmi Narasimha Reddy, Occ:Driver, E.No.271388.
7. Sk.Budhan, S/o.Khasim, Occ:Driver, E.No.271020.
8. B.Prasad, S/o.Somulu, Occ:Conductor, E.No.108472.
9. K.Prasad, S/o.Veeraiah, Occ:Driver, E.No.326089.
10. D.B.Singh, S/o.Gangya, Occ:Driver, E.No.290297.
11. D.Sura, S/o. Golu, Occ:Conductor, E.No.201667.
12. K.Madana Chary, S/o.Rama Linga Chary, Occ:Conductor, E.No.108241.
13. M.Naarashima, S/o.Pentaiah, Occ:Conductor, E.No.109201.

(Petitioenrs 1 to 13 are C/o.1st petitioner, R/o.H.No.19-671, Muthireddikunta, Miryalaguda, Nalgonda District)

..... PETITIONERS

AND

1. The Regional Manager, APSRTC, Nalgonda, Nalgonda District.
2. The Depot Manager, APSRTC, Miryalaguda Bus Depot, Nalgonda District.
3. The Depot Manager, APSRTC, Kodad Bus Depot, Nalgonda District.
4. The Depot Manager, APSRTC, Narketpally Bus Depot, Nalgonda District.
5. The Depot Manager, APSRTC, Yadagirigutta Bus Depot, Nalgonda District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue an order, direction or writ more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not giving the Special Grade/Stagnation Increment to the petitioners with effect from their completion of 12 years of service in APSRTC in total (all regions) and counting the present regions services of 12 years for 12 years Stagnation Increment/Special Grade as bad, arbitrary, illegal, unjust and contrary to the circulars and contrary to the judgments of this Hon'ble Court and consequently direct the respondents to effect the 12 years Stagnation Increment/Special Grade to the petitioners on their completion of 12 years of service in the all the regions of the Corporation.

Counsel for the Petitioners:MR.G.RAVI MOHAN

Counsel for the Respondent Nos.1 to 5: MR.V.T.M.PRASAD (SC FOR APSRTC)

The Court at the admission stage made the following O R D E R:

Heard both sides and at their request the writ petition is taken up for disposal at the stage of admission.

The grievance of the petitioners is that the respondent-Corporation is not giving the Special Grade/Stagnation Increments to them with effect from their completion of 12 years of service in the Corporation.

The purport of the decision reported by this Court in W.A.No.1301 of 2000 dated 29.10.2002, is that the entire service of the petitioner in the Corporation has to be taken into consideration for the purpose of giving the benefit of stagnation increment. Certain guidelines have been framed by the respondent-Corporation, more particularly, in circular No.P.D-113/1989, dated 03.06.1989, for grant of stagnation increments. Therefore, it is for the respondent-Corporation to decide the matter whether the petitioners are entitled for the stagnation increments in pursuance of the aforesaid circular order. Therefore, a direction is given to the respondent-Corporation to give Special Grade/Stagnation Increments as per the rules taking into account the petitioners' total service of 12 years in the Corporation.

The writ petition is accordingly disposed of. In the circumstances no costs.

17.02.2005

usd

To

1. The Regional Manager, APSRTC, Nalgonda, Nalgonda District.
2. The Depot Manager, APSRTC, Miryalaguda Bus Depot, Nalgonda District.
3. The Depot Manager, APSRTC, Kodad Bus Depot, Nalgonda District.
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6 Two CD copies.